

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

PHILIP WAYNE GREEN,

Petitioner,

v.

CIVIL ACTION NO.: CV513-102

UNITED STATES OF AMERICA and
TRACY JOHNS, Warden,

Respondents.

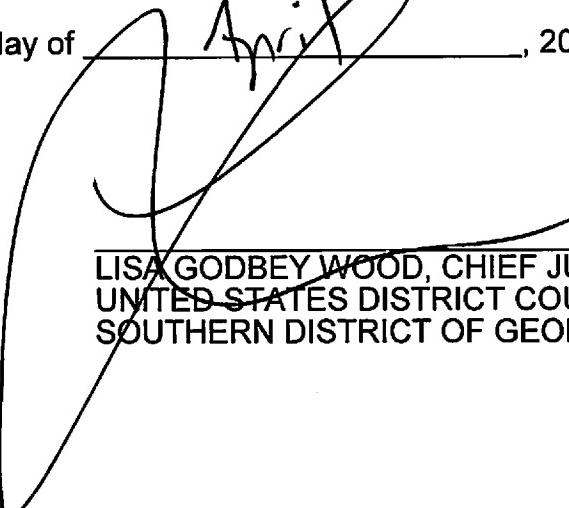
O R D E R

On December 23, 2013, the Magistrate Judge entered a Report recommending that Respondent's Motion to Dismiss be granted and the petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, be dismissed. Petitioner Phillip Wayne Green ("Green") was advised to file any objections to the Report by January 9, 2014. Instead of filing objections, Green filed a Notice of Appeal to the Eleventh Circuit Court of Appeals. On February 28, 2014, the Court of Appeals dismissed Green's appeal for lack of jurisdiction. By Order dated March 18, 2014, the parties were given an additional fourteen (14) days to file any desired objections to the Report and Recommendation. They were advised that if no objections were made, the Report and Recommendation would be adopted as a record of the proceedings and might become the opinion and order of the Court. No objections have been filed to the Report and Recommendation.

After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation, and it is adopted as the opinion of the Court.

Respondents' Motion to Dismiss is **GRANTED**. Green's petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, is **DISMISSED**. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 29 day of April, 2014.


LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA